

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 3, 1974
1:00 P.M.Electric Auditorium
301 West Avenue

The meeting was called to order with Mayor Butler presiding.

Roll Call:

Present: Councilmen Binder, Dryden, Friedman, Handcox,
Mayor Butler, Mayor Pro Tem Love

Absent: Councilman Lebermann

The Invocation was delivered by REVEREND GEORGE CARLISLE, St. David's Episcopal Church.

WORLD LIONS SERVICE DAY

Mayor Butler read and then presented a proclamation to Mr. Bill Raschke, Lions Club member, and other members of the 11 Lions Clubs in Austin proclaiming October 8, 1974, as "World Lions Service Day" and urged all residents to join the Council in saluting these philanthropic men who unselfishly give themselves to the needs of others.

RECOGNITION

Councilman Friedman read and then presented a resolution signed by Mayor Butler and Council members to Mrs. Williford Whatley, State President of the Texas Federation of Women's Clubs, and Mrs. Benjamin Meritt, member of the Pathfinders Club in Austin in recognition of the Federation's "WAR ON RAPE," designed to call the public's attention to the growing problem of rape and other crimes; aid in the prevention of rape, attack, and other street crimes through Project Mini-Gard; and influence new legislation concerning state and local laws dealing with the protection of crime victims and the trial prosecution of criminal offenders.

Mrs. Whatley thanked the Council and presented them with glass paperweights bearing the seal of the Texas Federation of Women's Clubs.

APPROVAL OF MINUTES

Mayor Pro Tem Love moved that the Council approve the Regular Meeting Minutes of September 26, 1974. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden,
Friedman, Handcox
Noes: None
Absent: Councilman Lebermann

HEARING ON ANNEXATION

Mayor Butler opened the public hearing scheduled for 1:00 p.m. to consider annexation. Mayor Pro Tem Love moved that the Council close the public hearing and direct the administration to institute annexation proceedings to annex the following:

- 4.99 acres of land out of the John Applegait Survey:
1. 3.96 acres, Resubdivision of Lots 1A, 1B, 1C, 1D, 2, 7A and 7B, Cameron Acres. (Requested by owner, J. B. Hamilton.)
 2. 1.03 acres, portions of Pleasant Lane and Future Drive. (Initiated by City of Austin.)

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Mayor Butler
Noes: None
Absent: Councilman Lebermann

ZONING HEARINGS

Mayor Butler announced that the Council would hear the zoning cases scheduled for 1:00 p.m. for Public Hearing at this time. Pursuant to published notice thereof, the following zoning applications were publicly heard:

RICHARD L. MATZ,
TRUSTEE
By Phil Mockford
C14-74-112

2205-2421 Pleasant
Valley Road

From "BB" Residence
To "LR" Local Retail
RECOMMENDED by the Planning
Commission

In response to Councilman Binder's question, Mr. Dick Lillie, Planning Department Director, stated that it was the position of the staff not to encourage strip zoning along major streets; however, it was the position of the Planning Commission that they would rather have commercial zoning than more apartments. Councilman Handcox moved that the Council grant "LR" Local Retail District as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Mayor Butler,
 Mayor Pro Tem Love
 Noes: Councilman Binder
 Absent: Councilman Lebermann

The Mayor announced that the change had been granted to "LR" Local Retail District, and the City Attorney was instructed to draw the necessary ordinance to cover.

AMERICAN HEART ASSOCIA-
 TION, TEXAS
 Texas Affiliate, Inc.
 By Sam R. Perry
 C14-74-114

860 Ed Bluestein
 Boulevard (U.S.
 Highway 183)

From Interim "A" Residence
 1st Height and Area
 To "GR" General Retail
 1st Height and Area
 RECOMMENDED by the Planning
 Commission

Mayor Pro Tem Love moved that the Council grant "GR" General Retail District, 1st Height and Area, as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Mayor Butler, Mayor
 Pro Tem Love, Councilman Binder
 Noes: None
 Absent: Councilman Lebermann

The Mayor announced that the change had been granted to "GR" General Retail District, 1st Height and Area, and the City Attorney was instructed to draw the necessary ordinance to cover.

ROMAMI COMPANY
 C14-74-118

4219 South 1st
 Street

From "A" Residence
 To "GR" General Retail
 RECOMMENDED by the Planning
 Commission

Councilman Handcox moved that the Council grant "GR" General Retail District, as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Mayor Pro
 Tem Love, Councilmen Binder, Dryden
 Noes: None
 Absent: Councilman Lebermann

The Mayor announced that the change had been granted to "GR" General Retail District, and the City Attorney was instructed to draw the necessary ordinance to cover.

O.V. BENNETT, JR.,
TRUSTEE
By City of Austin
Planning Department
C14-74-130

Rear of 2707-2905 Del
Curto also intersected
by Kinney Avenue,
Thornton Road, and
Burning Oak Drive

From "LR" Local Retail
To "A" Residence
RECOMMENDED by the Planning
Commission

Councilman Friedman moved that the Council grant "A" Residence District, as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love,
Councilmen Binder, Dryden, Friedman
Noes: None
Absent: Councilman Lebermann

The Mayor announced that the change had been granted to "A" Residence District, and the City Attorney was instructed to draw the necessary ordinance to cover.

AUSTIN NORTHWEST
DEVELOPMENT COMPANY
By John H. Steinle
C14-74-131

2900 Anderson Lane

From "GR" General Retail
To "C-2" Commercial
RECOMMENDED by the Planning
Commission

Councilman Dryden moved that the Council grant "C-2" Commercial District, as recommended by the Planning Commission. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder,
Dryden, Friedman, Handcox
Noes: None
Absent: Councilman Lebermann

The Mayor announced that the change had been granted to "C-2" Commercial District, and the City Attorney was instructed to draw the necessary ordinance to cover.

MILLIGAN HOUSE
C14h-74-004 and
C14-74-095

1606 West Avenue
801-805 West 17th
Street

From "A" Residence
To "O-H" Office-Historic
RECOMMENDED by the Planning
Commission

Mayor Pro Tem Love moved that the Council grant "O-H" Office-Historic District, as recommended by the Planning Commission. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder,
Dryden, Handcox
Noes: None
Abstain: Councilman Friedman
Absent: Councilman Lebermann

The Mayor announced that the change had been granted to "O-H" Office-Historic District, and the City Attorney was instructed to draw the necessary ordinance to cover.

FELIX WOLFF
By Don Fergurson
C14-74-117

1901 Koenig Lane

From "A" Residence
To "O" Office
RECOMMENDED by the Planning Commission subject to 1/2 the additional right-of-way (10 feet) to increase Koenig Lane from 70 to 90 feet, and subject to a 6-foot privacy fence along the rear property line.

Mayor Pro Tem Love moved that the Council grant "O" Office District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman, Handcox, Mayor Butler
Noes: None
Absent: Councilman Lebermann

The Mayor announced that the change had been granted to "O" Office District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

SCHOLARS INN, INC.
By Sam R. Perry
C14-74-122

2001-2005 Fort View
Road
4300 Manchaca Road

From "C" Commercial
To "C-1" Commercial
RECOMMENDED by the Planning Commission subject to 1/2 the additional right-of-way (5 feet) to increase Fort View Road from 50 to 60 feet.

Mr. Lillie noted that it had been the staff's recommendation that this be granted with the condition of right of way being deleted, in that it was not necessary. Mayor Pro Tem Love moved that the Council grant "C-1" Commercial District, as recommended by the Planning Commission, but without conditions. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox, Mayor Butler, Mayor Pro Tem Love
Noes: None
Absent: Councilman Lebermann

The Mayor announced that the change had been granted to "C-1" Commercial District without conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

THE AUSTIN NATIONAL
BANK, TRUSTEE, ET AL
By William Garwood
C14-74-124

1207-1217 North
Lavaca Street
1206-1216 North
Colorado
201-211 West 13th
Street

From "C" Commercial
2nd Height and Area
To "C" Commercial
3rd Height and Area(amended)
RECOMMENDED by the Planning
Commission as amended

In response to Councilman Binder's question, Mr. Lillie stated that 3rd Height and Area would permit a building up to 120 feet. Councilmen Friedman and Binder felt that the Capitol was being enclosed by too many tall buildings. Councilman Handcox moved that the Council grant "C" Commercial, 3rd Height and Area District, as amended, as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love,
Councilman Dryden
Noes: Councilmen Friedman, Binder
Absent: Councilman Lebermann

The Mayor announced that the change had been granted to "C" Commercial, 3rd Height and Area District, as amended, and the City Attorney was instructed to draw the necessary ordinance to cover.

HARRY JOSEPH
By Tom Curtis
C14-74-129

1116-1124 East 51st
Street, also bounded
by East 52nd Street

From "A" Residence
To "GR" General Retail
(as amended)
RECOMMENDED by the Planning
Commission as amended subject
to 1/2 the additional right-
of-way (5 feet) to increase
East 52nd Street to 60 feet.

It was noted that the Planning Commission had voted 3 to 2 to approve "GR" General Retail District; however, it was also noted that the staff had recommended "LR", Local Retail District. In response to Councilman Handcox's question, Mr. Tom Curtis, representing the applicant, stated that they would prefer "GR" General Retail; however, "LR" Local Retail would be acceptable. Councilman Handcox moved that the Council grant "LR" Local Retail District, in conformance with the staff's recommendation, with conditions. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love,
Councilmen Binder, Dryden, Friedman
Noes: None
Absent: Councilman Lebermann

The Mayor announced that the change had been granted to "LR" Local Retail District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

LOUIS BONUGLI
C14-74-125

2500-2506 South Lamar
Boulevard also bounded
by Montclair and La
Casa Drive

From "A" Residence
To "LR" Local Retail
NOT Recommended
RECOMMENDED by the Planning
Commission "O" Office 1st
Height and Area on the entire
tract, subject to 1/2 the
additional right of way (5
feet) to increase both
Montclair Street and La Casa
Drive from 50 to 60 feet, and
a 6-foot privacy fence along
the western property line.

Mayor Pro Tem Love moved that the Council grant "O" Office 1st Height and Area District, as recommended by the Planning Commission, with conditions. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden,
Friedman, Handcox

Noes: None

Absent: Councilman Lebermann

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, with conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

CLEAR CREEK
PROPERTIES, INC.
By Carl B. Morris
C814-74-016

6800-7200 Meadow Lake
Boulevard (proposed
South Park)

From Interim "A" Residence
To 236 attached single-family
dwelling units with recreation
area and common open space
called "Green Slopes" - A
Planned Unit Development.
RECOMMENDED by the Planning
Commission, subject to
departmental requirements,
except not to require addition-
al entrance; to delete the
30-foot approach requirement;
and partially deleting back-
out of parking spaces on curve
of main drive

Councilman Dryden moved that the Council grant the Planned Unit Development, subject to conditions. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder,
Dryden, Friedman, Handcox

Noes: None

Absent: Councilman Lebermann

The Mayor announced that the change had been granted to the Planned Unit Development, subject to conditions, and it was noted that the applicant had requested that the ordinance be passed simultaneously.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 BY PERMITTING 31.120 ACRES OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, LOCATED AT 6800-7200 MEADOW LAKE BOULEVARD (PROPOSED) (SOUTH PARK), TO BE USED FOR A PLANNED UNIT DEVELOPMENT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Dryden moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder,
Dryden, Friedman, Handcox

Noes: None

Absent: Councilman Lebermann

The Mayor announced that the ordinance had been finally passed.

ZONING DENIED

GILBERT LaFUENTE
C14-74-123

6403 Circle S Road

From Interim "A" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area
(as amended)

RECOMMENDED by the Planning
Commission as amended

In response to Councilman Binder's question, Mr. Lillie stated that this area included a number of uses that were non-residential in character; and this request would be for a lounge. He added that the use on this property was non-conforming; and the owner wanted to expand the activity, which would entail rezoning. He noted that the staff felt this should be denied in that it was incompatible with the residential development and that it would set a precedent for added permissive zoning in the area.

Councilman Dryden moved that the Council grant "GR" General Retail, 1st Height and Area District, as amended, as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Love, showed the following vote:

Ayes: Councilman Dryden, Mayor Butler, Mayor Pro Tem Love

Noes: Councilmen Friedman, Handcox, Binder

Absent: Councilman Lebermann

The Mayor announced that the change had been DENIED.

CONTRACTS AWARDED

Mayor Pro Tem Love moved that the Council adopt a resolution awarding the following contract:

CAPITOL TRUCK & TRAILER COMPANY 4822 East First Street Austin, Texas	- Tear Down, Inspect and Repair Landfill Compactor. Vehicle and Equipment Services Department - \$21,000.00
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The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Mayor Butler
Noes: None
Absent: Councilman Lebermann
Abstain: Councilman Handcox

Mayor Pro Tem Love moved that the Council adopt a resolution awarding the following contracts:

Bid Award	- For Oil Circuit Breakers, Electric Department.
ALLIS-CHALMERS CORPORATION 310 South St. Mary's Street San Antonio, Texas	- Item 1; 6 ea. @ \$45,360.00 2; 6 ea. @ \$43,260.00 Total - \$531,720.00 (subject to escalation)
ITE IMPERIAL CORPORATION 303 Jackson Hill Houston, Texas	- Item 3; 1 ea. - \$35,090.00 (subject to escalation)

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Mayor Butler
Noes: None
Abstain: Councilman Handcox
Absent: Councilman Lebermann

Mayor Pro Tem Love moved that the Council adopt a resolution awarding the following contract:

DRESSER INDUSTRIAL VALVE & INSTRUMENT DIVISION DRESSER INDUSTRIES, INC. Highway 71, North Alexandria, Louisiana	- Repair Parts for Boiler Safety Valves, Units 1, 2, and 3, Holly Power Plant, Electric Utility Department. Items 1-22 - \$7,917.14 (subject to escalation)
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The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Mayor Butler
Noes: None
Abstain: Councilman Handcox
Absent: Councilman Lebermann

Mayor Pro Tem Love moved that the Council adopt a resolution awarding the following contract:

BIG THREE INDUSTRIAL GAS &
EQUIPMENT COMPANY
4927 East 5th Street
Austin, Texas

- Oxygen, Acetylene, Hydrogen,
Argon, and CO₂, Vehicle & Equip-
ment Services, Electric Utility,
Water and Wastewater, and Parks
and Recreation Departments.
\$16,265.91 (12 months supply agreement)

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Mayor Butler
Noes: None
Abstain: Councilman Handcox
Absent: Councilman Lebermann

Mayor Pro Tem Love moved that the Council adopt a resolution awarding the following contract:

DIAMOND SHAMROCK CORPORATION
1006 Main Street
Houston, Texas

- Liquid Chlorine, one-ton cylinder,
used in water treatment.
Item 1, estimated 1,000 tons @
\$240.00/ton - Total - \$240,000.00
12 months' supply agreement
(subject to escalation)

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Mayor Butler
Noes: None
Abstain: Councilman Handcox
Absent: Councilman Lebermann

Mayor Pro Tem Love moved that the Council adopt a resolution awarding the following contract:

INTERNATIONAL BUSINESS MACHINES
1609 Shoal Creek Boulevard
Austin, Texas

- I.B.M. Mag Card II Typewriter
for Planning Department -
\$11,800.00

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Mayor Butler

Noes: None

Abstain: Councilman Handcox

Absent: Councilman Lebermann

AMENDING CONTRACT FOR AUCTIONEER SERVICES

Mayor Pro Tem Love moved that the Council adopt a resolution amending a contract for auctioneer services to transfer money collection functions to the City of Austin and reduce payment to Mr. J. C. Harper, Auctioneer, by the cost of reasonable expenses incurred in collection. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox, Mayor
Butler, Mayor Pro Tem Love

Noes: None

Absent: Councilman Lebermann

CONTRACTS IN ACCORDANCE WITH APPROPRIATIONS APPROVED SEPTEMBER 19, 1974

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to enter into contract with the following agency in accordance with appropriations approved September 19, 1974:

<u>Agency</u>	<u>Contract Term</u>	<u>Allocation</u>
Austin Rape Crisis Center	Oct. 1, 1974 - Sept. 30, 1975	\$ 5,000

The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Mayor Butler, Mayor
Pro Tem Love, Councilman Binder

Noes: None

Absent: Councilman Lebermann

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to enter into contract with the following agency in accordance with appropriations approved September 19, 1974:

Caritas (Municipal Grant)	Oct. 1, 1974 - Sept. 30, 1975	\$37,752
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The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Mayor Butler, Mayor
Pro Tem Love, Councilman Binder

Noes: None

Absent: Councilman Lebermann

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to enter into contract with the following agency in accordance with appropriations approved September 19, 1974:

<u>Agency</u>	<u>Contract Term</u>	<u>Allocation</u>
County Horticulturist	Oct. 1, 1974 - Sept. 30, 1975	4,400

The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Mayor Butler, Mayor Pro Tem Love, Councilman Binder
 Noes: None
 Absent: Councilman Lebermann

CONTRACT IN ACCORDANCE WITH APPROPRIATIONS APPROVED
 MAY 23, 1974

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to enter into a contract with the following agency in accordance with appropriations approved May 23, 1974:

St. John's Community Association	Sept. 1, 1974 - Aug. 31, 1975	\$36,000
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The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden
 Noes: None
 Absent: Councilman Lebermann

AUTHORIZATION OF REVISED WORK PROGRAM WITHDRAWN

Authorization to submit a revised Office of Economic Opportunity Work Program for the program year May 1, 1974, to April 30, 1975, was withdrawn. (Requested funding was in the amount of \$456,218 plus \$53,128 of carry-over monies, for a total of \$509,346 with no City funds required.)

ACCEPTANCE OF GRANT AWARD FOR CONTINUATION OF
 POLICE-COMMUNITY RELATIONS PROGRAM

Councilman Handcox moved that the Council adopt a resolution authorizing the City Manager to accept a grant award from the Texas Criminal Justice Division for the continuation of the Police-Community Relations Program from October 1, 1974, through September 30, 1975. (Total cost will be \$60,700; Texas Criminal Justice Division support will be \$46,350; the City's cash match will be \$14,350.) The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman
 Noes: None
 Absent: Councilman Lebermann

SUBMISSION OF APPLICATION FOR GRANT IN CONNECTION WITH
HUMAN SERVICE DELIVERY SYSTEM

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing the City Manager to submit an application to the Texas Office of Economic Opportunity for a grant of \$23,460 to develop and implement a Human Service Delivery System. Grant period will be from September 1, 1974, to August 31, 1975. (No City funds required.) The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder,
Dryden, Friedman, Handcox
Noes: None
Absent: Councilman Lebermann

ACQUISITION OF LAND FOR TOWN LAKE DEVELOPMENT

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing the acquisition of 721 Cummings Street (Oswald G. Wolf Estate) for Town Lake Development, Waller Beach area. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder,
Dryden, Friedman, Handcox
Noes: None
Absent: Councilman Lebermann

ACQUISITION OF LAND FOR RUNDBERG LAND

Councilman Handcox moved that the Council adopt a resolution authorizing the acquisition of certain land for widening and paving Rundberg Lane from North Lamar Boulevard to I.H. 35:

503 East Rundberg Lane (Jack E. Bunch et ux)

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Mayor Butler
Noes: None
Absent: Councilman Lebermann

Councilman Handcox moved that the Council adopt a resolution authorizing the acquisition of certain land for widening and paving Rundberg Lane from North Lamar Boulevard to I.H. 35:

102 East Rundberg Lane (Awald Zieger et ux)

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Mayor Butler
Noes: None
Absent: Councilman Lebermann

ACQUISITION OF LAND FOR BARTON CREEK GREENBELT

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing the acquisition of certain land for the Barton Creek Greenbelt:

1.10 acres of land out of that certain 9.87-acre tract
of land out of the Henry P. Hill League (Addie G. Stone)

The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox, Mayor Butler,
Mayor Pro Tem Love
Noes: None
Absent: Councilman Lebermann

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing the acquisition of certain land for the Barton Creek Greenbelt:

0.59 acres of land out of the Henry P. Hill League
(Jesse A. Mallory, Jr., et ux)

The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox, Mayor Butler,
Mayor Pro Tem Love
Noes: None
Absent: Councilman Lebermann

APPROVAL OF LEASE AGREEMENT

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing approval of a lease agreement with the Austin Municipal Federal Credit Union. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Mayor Butler,
Mayor Pro Tem Love, Councilman Binder
Noes: None
Absent: Councilman Lebermann

Councilman Binder pointed out that they were paying the full-scale level for this.

SOILS INVESTIGATION SERVICES

Councilman Friedman moved that the Council select the firm of FRANK G. BRYANT & ASSOCIATES, INC., for soils investigation services in connection with the following Public Works projects:

1974-75 Yearly Soils Investigations for Subdivision Street
Development and Voluntary Street Paving Projects.

The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Mayor Pro
Tem Love, Councilmen Binder, Dryden
Noes: None
Absent: Councilman Lebermann

SOILS INVESTIGATION AND ENGINEERING TESTING SERVICES

Mayor Pro Tem Love moved that the Council select the firm of SNOWDEN & MEYER for soils investigation and engineering testing services in connection with the following Capital Improvements Project:

Barton Creek Interceptor, Capital Improvement Program
Project No. 5032 0.

The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love,
Councilmen Binder, Friedman
Noes: None
Absent: Councilman Lebermann
Not in Council Chamber when roll was called: Councilman Dryden

ENGINEERING TESTING SERVICES

Councilman Friedman moved that the Council select the firm of SHILSTONE ENGINEERING TESTING LABORATORY, INC., for engineering testing services in connection with the following project:

1974-75 Yearly Concrete Materials Testing Services for
Subdivision Street Development and Voluntary Street Paving
Projects

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden,
Friedman, Handcox
Noes: None
Absent: Councilman Lebermann

Councilman Friedman moved that the Council select the firm of RODGERS AND ASSOCIATES ENGINEERING CORPORATION for engineering testing services in connection with the following projects:

1974-75 Yearly Densities for Base Courses and/or Subgrades
for Subdivision Street Development and Voluntary Street
Paving Projects.

1974-75 Yearly Bituminous Materials Testing Services for
Subdivision Street Development, Voluntary Street Paving
Projects and all Capital Improvements Projects.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden,
Friedman, Handcox
Noes: None
Absent: Councilman Lebermann

In response to Councilman Dryden's question, Mr. Richard Halsted, Civil Engineer, had noted that he was in favor of distribution of the work among the firms recommended so that each firm could have more expertise in one area than another. In connection with this, Councilman Dryden had made a substitute motion that the firm of TRINITY ENGINEERING TESTING CORPORATION be selected; however, the motion died for lack of a second.

APPROVAL OF REQUEST FOR BOAT RACES

Councilman Handcox moved that the Council approve a request by Mr. Danny Reed, President of Austin Boat Club, Inc., for boat races on Town Lake in 1975 on April 5 and 6, May 3 and 4, May 31 and June 1, July 5 and 6, plus Austin's Aqua Festival. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Mayor Butler
Noes: None
Absent: Councilman Lebermann

APPROVAL OF REQUEST FOR PARADE PERMIT

Mayor Pro Tem Love moved that the Council approve a request by Mr. Harley Max Fisher, David Crockett High School Student Council, for a parade permit on October 24, 1974, from 1:00 p.m. until 2:00 p.m. to celebrate Homecoming, beginning at Woodlawn Baptist Church parking lot, south on Manchaca Road to Crockett High School parking lot. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox, Mayor Butler,
Mayor Pro Tem Love
Noes: None
Absent: Councilman Lebermann

RESIDENCE HOMESTEAD EXEMPTION FOR THE ELDERLY

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 32-43 OF CHAPTER 32 OF THE AUSTIN CITY CODE OF 1967, BY INCREASING THE AMOUNT OF "RESIDENCE HOMESTEAD EXEMPTION FOR THE ELDERLY" FROM THREE THOUSAND DOLLARS TO FIVE THOUSAND DOLLARS; PROVIDING FOR AN EFFECTIVE DATE, SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Friedman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Mayor Butler,
Mayor Pro Tem Love, Councilman Binder

Noes: None

Absent: Councilman Lebermann

The Mayor announced that the ordinance had been finally passed.

ORDINANCE PROHIBITING BEGGING - SECOND READING

It was noted that the Council had before it the second reading of an ordinance prohibiting begging in public places. Councilman Friedman suggested a postponement of the reading until Councilman Lebermann returned to the City; however, Mayor Butler noted that he had discussed this with Mr. Bill Parrish, University of Texas Student Government, at which time Mr. Parrish indicated to go ahead with the second reading.

Ms. Dottie Mott, representing Middle Earth, indicated that they had employed 10 "street people" who were doing quite well; and they needed the Council's support on this program. She felt that there needed to be a commitment on this program. She suggested that there had been a "crack down" on the street people. In response to this, City Manager Davidson stated that human relations complaints that were received by the Police were checked and a report filed on each and every complaint. He suggested that she furnish him with some documentation where a complaint had not been handled.

Mayor Butler brought up the following ordinance for its second reading:

AN ORDINANCE AMENDING CHAPTER 23 OF THE AUSTIN CITY CODE OF 1967, BY ADDING THERETO A NEW SECTION DESIGNATED SECTION 23-50, PROHIBITING BEGGING IN PUBLIC PLACES; AND DECLARING AN EMERGENCY.

The ordinance was read the second time, and Mayor Pro Tem Love moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love,
Councilman Dryden

Noes: Councilmen Binder, Friedman

Absent: Councilman Lebermann

INCREASE IN RATES AT BRACKENRIDGE HOSPITAL

The Council had before it for consideration the proposal of increasing rates at Brackenridge Hospital as recommended in the 1974-75 Operating Budget approved on September 19, 1974. In response to Councilman Friedman's question, City Manager Davidson noted that the proposed rates had been checked by various federal and private agencies and would continue to be checked. Mayor Pro Tem Love moved that the Council adopt a resolution approving the increase in rates at Brackenridge Hospital as stipulated on Pages 1-28 attached to the resolution.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love,
Councilmen Binder, Dryden, Friedman
Noes: None
Absent: Councilman Lebermann

INCREASE IN WATER AND WASTEWATER RATES AND TAP FEES

It was noted that the Council had before it the possible increase in water and wastewater rates and tap fees as recommended in the 1974-75 Operating Budget. City Manager Davidson pointed out that there had been some meetings with developers in connection with tap fees. He stated that the recommendations represented another step in implementing Council's policy to make direct services self-sustaining through fees and charges. He noted that the proposed minimum rates for water taps would be \$110 and \$180 for wastewater taps, which were calculated based on 1972-73 actual costs.

He continued by stating that in early 1974 representatives of the Home Builders Association were advised that the City's water and wastewater rate consultant, Black & Veatch, was suggesting that the cost of making these taps be increased and that it be reflected in direct fees and charges. He noted that last Friday the City provided the recommendations to the developers through the Association; and they had indicated that while they have not had enough time to work on this, they would not oppose the passage of the ordinance today if they could have the privilege of working further with the staff and coming back with any corrections to reflect actual cost of doing this work.

Mr. Davidson then introduced Mr. Ron Hardin, Black & Veatch, who reviewed a report that had been submitted to Council in May on water and wastewater charges, which had taken into consideration a projection of costs and revenue requirements for the next 5 years for water and wastewater utilities of the City. In developing the report, he noted that they had gone through 3 stages:

1. Development of revenue requirements or the total cost required to provide service of the water utility.
2. Assignment of various costs to the customers who were creating these costs.
3. Development of rates which were necessary to produce required charges on an equitable basis to the various customers using the utility services.

He commented that as a result of their studies, they found various substantial increases were required for water and wastewater charges because for many years this had been supported by revenue from the electric utility. He stated that as a result of their report, they were requested to make some additional studies which would indicate what would be required to just meet the cash obligations for the next 1 or 2 years, which resulted in a letter dated May 20, 1974. In comparison, he pointed out that the report indicated that to support obligations for the next 5 years in the water system an overall 135% increase was required; however, in the afore-mentioned letter they had indicated that for the next 2 years rates should be increased 80% just to meet cash obligations. For wastewater services the report indicated 390% increase, but the letter stipulated a 211% increase.

In response to Mayor Butler's question, Mr. Hardin suggested that in regard to billing, these be 2 separate charges. In response to Mayor Butler's further questions, City Manager Davidson indicated that the computer billing system could handle this and that this was one of the federal requirements in connection with grants from E.P.A.

City Manager Davidson took this opportunity to mention that the rates would anticipate payment of debt retirement for the capital indebtedness.

Mayor Butler introduced the following ordinance:

AN ORDINANCE PRESCRIBING AND LEVYING RATES AND CHARGES FOR SALES MADE AND SERVICES RENDERED IN CONNECTION WITH THE WATER SYSTEM AND THE WASTEWATER SYSTEM OF THE CITY OF AUSTIN FOR ALL USES OF SUCH WATER AND WASTEWATER CONNECTIONS AND FACILITIES; REPEALING ALL ORDINANCES, RESOLUTIONS, AND ORDERS IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Love moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder,
Dryden, Handcox, Friedman
Noes: Councilman Friedman
Absent: Councilman Lebermann

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES - ALL THREE READINGS

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

- (1) A 0.569 ACRE TRACT OF LAND, LOCALLY KNOWN AS 5720 BALCONES DRIVE, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND
- (2) A 4.17 ACRE TRACT OF LAND, SAVE AND EXCEPT A 0.569 ACRE TRACT OF LAND, LOCALLY KNOWN AS 5752 BALCONES DRIVE, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT;

ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (John Bode, Trustee, C14-74-024; Tom Bradfield, C14-74-025)

Mayor Pro Tem Love moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden,
Friedman, Handcox
Noes: None
Absent: Councilman Lebermann
Not in Council Chamber when roll was called: Councilman Binder

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
LOTS 5, 6 AND 7, GEORGIAN ACRES SUBDIVISION, LOCALLY KNOWN AS 9021-9101 CAPITAL DRIVE, FROM "BB" RESIDENCE DISTRICT AND "C" COMMERCIAL DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (James Dyess & Walter and Ruby Lawrence, C14-73-217)

Mayor Pro Tem Love moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden,
Friedman, Handcox
Noes: None
Absent: Councilman Lebermann
Not in Council Chamber when roll was called: Councilman Binder

The Mayor announced that the ordinance had been finally passed.

VACATION OF STREET

Mayor Butler brought up the following ordinance for its second reading:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF TOWNES LANE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the second time, and Mayor Pro Tem Love moved the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Lebermann
Not in Council Chamber when roll was called: Councilman Binder

The Mayor announced that the ordinance had been finally passed.

REFUND CONTRACT

Mayor Butler brought up the following ordinance for its first reading:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH GREATER NORTHWEST, INCORPORATED, AND AUSTEX DEVELOPMENT COMPANY, LTD. (Balcones Woods, Section 3-A)

The ordinance was read the first time, and Mayor Pro Tem Love moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Mayor Butler, Mayor Pro Tem Love
Noes: Councilman Friedman
Absent: Councilman Lebermann
Not in Council Chamber when roll was called: Councilman Binder

ANNEXATION ORDINANCE

Mayor Butler brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 16.97 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE WILKINSON SPARKS SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time, and Councilman Friedman moved the ordinance be passed to its second reading. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Mayor Butler
Noes: Mayor Pro Tem Love
Absent: Councilman Lebermann
Not in Council Chamber when roll was called: Councilman Binder

DELETIONS AND ADDITIONS TO SPEED ZONES

Mayor Butler brought up the following ordinance for its second reading:

AN ORDINANCE AMENDING SECTIONS 21-41, SUBSECTIONS (d) AND (e), OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN DELETIONS AND ADDITIONS TO SAID SUBSECTIONS, THEREBY DECLARING MAXIMUM PRIMA FACIE SPEED LIMITS ON CERTAIN STREETS WITHIN SCHOOL ZONES IN THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 6701d), REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (East Oltorf, Bluebonnet Lane)

The ordinance was read the second time, and Councilman Friedman moved that the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Mayor Pro Tem Love, Councilman Dryden
Noes: None
Absent: Councilman Lebermann
Not in Council Chamber when roll was called: Councilman Binder

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE - SECOND AND THIRD READINGS

Mayor Butler brought up the following ordinance for its second reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A ONE-HALF ACRE TRACT OF LAND, LOCALLY KNOWN AS 9611 UPPER GEORGETOWN ROAD, (OLD McNEIL ROAD), FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Chester & Ivy Hunt, C14-73-253)

The ordinance was read the second time, and Mayor Pro Tem Love moved that the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love,
Councilmen Dryden, Friedman

Noes: None

Absent: Councilman Lebermann

Not in Council Chamber when roll was called: Councilman Binder

The Mayor announced that the ordinance had been finally passed.

FIESTA GARDENS

It was noted that the Council had before it an item concerning Fiesta Gardens. Mr. Joseph Morahan, Public Property Manager, stated that on August 22, 1974, some polling was done by staff of the residents in the immediate area as to whether or not they had wanted to sell their property in order to formulate a decision. He continued that the Council had asked that the staff do some further work on this, and there was a meeting held on September 25, 1974, at Fiesta Gardens, with approximately 35 neighborhood residents in attendance. As a result of this meeting, a tabulation had been formulated summarizing the positions of the individual owners and had been distributed to Council along with a map. He listed their recommendations to Council with regard to acquisition of properties:

1. All remaining privately-owned property south of Bergman Avenue.
2. All of the property between Chicon and Lynn Street from Bergman Avenue north to the alley.
3. Only the west two lots of the block between Lynn and Anthony Streets from Bergman Avenue north to the alley.
4. The remaining single lot in the block between Anthony and Canadian Streets from Bergman Avenue north to the alley.

He noted that there had been a slight shift in priorities and recommended the purchase of not only Parcels 1-17, as stipulated on the tabulation, but also 18-27. In response to Mayor Butler's question, Mr. Morahan stated that within Parcels 18-27, Carey Leggett, Jr., 1910 Bergman Avenue (No. 23), preferred not to sell; but he noted that this was a rent house. He added that Joe Flores, 33 Lynn Street (No. 25), preferred not to sell; but he noted that this was a small vacant lot.

In response to Mayor Butler's question, City Manager Davidson requested a motion from Council approving the concept as presented by Mr. Morahan so that the staff could proceed on that basis and would bring back individual transactions for Council's approval in accordance with the plan.

In response to Councilman Dryden's question, Mr. Jesse Segovia, 2010 Bergman, appeared on behalf of the East Town Lake Citizens and noted that most of the residents were pleased with the results. He complimented Mr. Morahan on his negotiations.

Mayor Pro Tem Love moved that the Council approve the concept as presented by staff. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden,
Friedman, Handcox

Noes: None

Absent: Councilman Lebermann

Not in Council Chamber when roll was called: Councilman Binder

REVISED POLICY ON VALUE OF VACATED RIGHTS OF WAY

Consideration of a revised policy on the value of vacated rights of way was before the Council. Mr. Joseph Morahan stated that the present policy for establishing the amount to be charged for the vacation of streets and alleys was for the adjoining owners to pay an amount per square foot of vacated area equal to 75% of the average market value per square foot of immediately adjoining properties. He noted that this was not quite acceptable in some cases. He called to Council's attention some action of the Texas Legislature in 1973 where there was an amendment to the law governing the sale of land by political subdivisions. He noted that Dallas used staff appraisals to establish market value and then charged on a percentage basis, with the adjustment taking into consideration such items as size, shape, limited title, limited market, and retained easements.

He recommended that the existing policy be revised to provide that the adjoining owners pay the appraised market value of the area to be vacated, the appraised value being the written opinion of the Public Property Manager and the Tax Assessor-Collector or their designated representatives. In keeping with recent indications by the Council, he suggested that the Council might wish to amend the part covering no charge to governmental entities so that such cases might be considered on an individual basis.

Mr. Don Butler, City Attorney, brought up the following points:

1. There is an exemption for other public bodies acquiring land. Does the City wish to retain that exemption?

2. Should these public bodies be charged the \$100 processing fee? He noted that it had been the City's position that this fee be charged.
3. What should be the procedure in a situation where someone commences the processing and then decides not to?

He requested that these items be clarified in the rewriting of the policy.

Councilman Friedman moved that the Council accept the proposed policy and requested the City Attorney to incorporate his recommendations into the policy with regard to the afore-mentioned points. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder,
Dryden, Friedman, Handcox
Noes: None
Absent: Councilman Lebermann

AFFIRMATIVE ACTION REPORT

The Affirmative Action Report was scheduled for Council's consideration; however, City Manager Davidson noted that there needed to be further legal and administrative review and requested a 2-week postponement. Therefore, this item was postponed until October 17, 1974.

The Council recessed at 2:45 p.m.

Mayor Butler called the meeting to order at 3:05 p.m.

PROPOSAL TO PROVIDE COMPENSATION TO COUNCIL

Consideration of a proposal to provide adequate compensation for members of the Austin City Council was before the Council. Councilman Binder noted that an ordinance had been circulated which would allocate \$12,000 or \$1,000 a month to Councilmen to draw as pay and/or expenses. He stated that if a Councilman did not take his \$1,000 in a month for any purpose, it would not be cumulative. He indicated that this would involve a total net allocation of \$85,232 (\$84,000 for the pay figures; \$4,872 for F.I.C.A. taxes less \$3,640 for the current stipend now received for performing their functions) and would become effective on October 1, 1974.

Motion

Because he felt it necessary that Councilmen either be recompensed for their time or given some money to work with to pay the necessary expenses to make up for the loss of time and facilities due to the elimination of the aide program, Councilman Binder introduced the following ordinance and moved that it be passed through its first reading:

AN ORDINANCE AMENDING ORDINANCE NO. 740919-B TO APPROPRIATE FROM UNAPPROPRIATED GENERAL FUNDS AND CREDIT TO VARIOUS CITY COUNCIL ACCOUNTS THE AMOUNT OF \$85,232; PROVIDING FOR PAYMENTS TO MEMBERS OF THE CITY COUNCIL AS COMPENSATION FOR SERVICES RENDERED AND/OR EXPENSES OF OFFICE; AND PROVIDING A PROCEDURE FOR SUCH PAYMENTS.

The motion was seconded by Councilman Handcox.

The following appeared in opposition to the Motion before Council:

MR. DICK HODGKINS did not want the Council to play politics with the citizens' pocketbooks. He suggested that each of the Councilmen knew that pay for such a position was only a token of appreciation for a job well done and that in April, 1973, the citizens voted 2 to 1 not to pay the Council. He noted that he had been polling the citizens from all walks of life and better than 90% did not want the Council to raise their salaries for any purpose. He felt that it would be an "arrogant and selfish act of government."

He appealed to Mayor Butler to assist each of the Councilmen by allowing his secretary to handle the correspondence and telephone calls and appealed to the City Manager to direct his staff to assist during peak periods. He appealed to Mayor Pro Tem Love after being "the champion of the citizens" to develop a "common-sense budget." He requested that the Council act in a responsible manner; and if one of them found that he could no longer support his office, he should submit his resignation.

MRS. TAMMIE RYLAND stated that the people did not have the money to give the Council and hoped that they would have some consideration for the amount of people who were in a financial bind.

MR. JOE K. WELLS suggested that this was a part-time office with a full-time City Manager and full-time staff prepared to carry out the policies set by the Council. He hoped that the Council would be responsive to the people who put them in office because he felt this was the attitude they should assume.

MR. JAY JOHNSON stated that as a member of the Board of Directors of the Austin Citizen League, they had voted unanimously to oppose any salary increase of any kind. He listed their reasons as follows:

1. Austin has a City Manager-Council form of government. To employ full-time people at the policy-establishing level would erode this form of government.
2. There have been a lot of people who have served before this Council without being compensated.

He suggested that if the Council turned their backs on the voter today, they would have breached a public trust and violated their oaths to uphold the law to the best of their abilities.

MS. HELENA HARDCASTLE strongly approved an endeavor to reduce the budget and felt that the Council should be looked upon as public servants. She felt that if the motion was granted, no Councilman should be permitted to take any other outside work and that this should be a full-time position. She stated that she did not object to \$100 per month to cover nominal expenses. She suggested that in the near future there would be a need for a full-time Mayor.

In conclusion, she requested that the Council consider the interest of the tax payer and stated that an attempt at the present time to increase their salaries would be selfish.

MR. TOM FAIREY endorsed statements made in opposition and suggested that even though it was not legally binding, the Council had made a moral contract. He suggested that if the Council felt a raise was in order, they should make it one of the planks in the spring election.

MR. LOU McCREARY suggested that Councilman Binder's motion be amended to restore the aide program. He commented that they had been of considerable benefit to him and felt that it was good training ground for young people. He felt that this salary issue should be placed on the ballot for the people to vote on in the next election.

MR. MORGAN HUNTER, attorney, called the Council's attention to the Texas Statute, Section 15 of Article 689-A, concerning what happens after a city budget has been adopted: "...No expenditure of funds of such city, town, or village shall thereafter be made except in strict compliance with such adopted budget...except that in case of grave public necessity, emergency expenditures to meet unusual and unforeseen conditions, which could not by diligent thought and attention have been included in the original budget, may from time to time be authorized as amendments to the budget..." He did not believe that compensation for the Council or for their aides represented emergency expenditures.

At this point, Mayor Butler recognized the following former Councilmen:

Mayor Taylor Glass	Councilman Jay Johnson
Mayor Pro Tem Wesley Pearson	Councilman Ralph Janes, Jr.
Mayor Pro Tem Louis Shanks	

MR. TAYLOR GLASS, former Mayor, felt that Austin was getting away from a pure Manager form of government and wanted to reinstate this former situation.

At this point, MS. HARDCASTLE addressed the Council again and stated that there had been statements made to the effect that an increase would provide an opportunity for more qualified people to run for Council. She did not feel this had any validation because the greatest deterrent was campaign expenses.

MR. GEORGE SHEPHERD, Austin Tax Payers League, referred to a meeting that had been held about 2 years ago with approximately 1,000 people in attendance, at which time they had taken a vote on the salary situation. He noted that there were approximately 95% in opposition to salaries for the Council.

MR. JAMES GERST thanked the Council for their time spent but requested that the majority of the Council vote against Councilman Binder's motion.

MR. WESLEY PEARSON, former Mayor Pro Tem, did not believe there should be any pay for Council of a significant amount and felt that Austin had a very capable City Manager and staff with the Council being the policy-making body. He suggested that this issue be placed on the election ballot.

The following appeared in support of the Motion before Council:

MR. RANDALL WOOD, General Counsel for the Common Cause of Texas, pointed out that legislators were paid for their services and felt that the present salary discouraged some from running for a position on the Council.

MS. JEAN BIZZELL, League of Women Voters, referred to a study they had made in 1971, which determined the following:

1. Present \$10 per week salary was discriminatory against the man of moderate means.
2. Present salary would not cover expense of women with young children.
3. Austin was at the bottom with regard to compensation for Council members as compared to cities of similar size in Texas.

Therefore, she stated that their position was that they were in support of adequate compensation for Council members, thereby giving more people an opportunity to serve.

MR. DALE NAPIER, Chairperson for the University City Lobby, brought up the following points:

1. Felt it was possible for the Council to be strong without eroding the City Manager's position.
2. Austin had grown over the last 20 years, requiring more attention from Council and staff.
3. Not changing the form of government; changing the philosophy of how the form of government works.

Council Discussion

Councilman Dryden felt that the most important thing to remember was that each of the Councilmen were elected by the voters of Austin and suggested that they knew what they were getting into.

Substitute Motion

Councilman Dryden moved that this issue be placed on the election ballot for 1975. Mayor Butler seconded the substitute motion. Roll call showed the following vote:

Ayes: Councilman Dryden, Mayor Butler
Noes: Councilmen Binder, Friedman, Handcox, Mayor Pro Tem Love
Absent: Councilman Lebermann

The substitute motion failed to carry by a 2 to 4 vote.

Roll Call on Original Motion

Roll call on Councilman Binder's motion, Councilman Handcox's second, that the Council be compensated in the amount of \$12,000 annually or \$1,000 per month for services rendered, showed the following vote:

Ayes: Councilmen Binder, Handcox, Friedman, Mayor Pro Tem Love
 Noes: Councilman Dryden, Mayor Butler
 Absent: Councilman Lebermann

The motion carried by a 4 to 2 vote.

Councilman Friedman prefaced his affirmative vote by noting that he was the only Councilman who used the salary issue as part of his campaign. He felt that the Council needed to be paid whether or not the citizens felt this was a full-time or part-time responsibility. He suggested that it was full-time. He also felt that there needed to be ways of opening the doors for more citizens.

Mayor Butler prefaced his negative vote by stating that this would be the first Council that had "reneged" on a referendum item; and as a matter of principle, he voted "no."

It was noted that this was the first reading only of the ordinance establishing salaries for the Council.

ZONINGS SET FOR PUBLIC HEARING

The City Manager reported that the following zoning applications had been referred to the Planning Commission for recommendation and had been set for public hearing on November 7, 1974:

ELMO, INC. C14-74-132	200 West Ben White Boulevard, also bounded by Wadford Street	From "GR" General Retail To "C" Commercial
H. N. SIMS and SEVIE SIMS C14-74-133	602-606 Middle Lane	From Interim "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
PETE G. SOSA C14-74-134	312-400 West Mary Street	From "A" Residence To "B" Residence
MR. and MRS. HAROLD E. RUSSELL By Mitty Bollman C14-74-135	603 Driskill Street	From "A" Residence To "C" Commercial
UNIVERSITY PRESBY- TERIAN CHURCH By Richard Barrett C14-74-136	413 West 23rd Street also bounded by San Antonio Street	From "C" Commercial 6th Height and Area To "C" Commercial 2nd Height and Area

H. I. NORTH By Hardy Hollers C14-74-137	8103 Research Boulevard (U.S. Highway 183) also bounded by Beech Drive	From "A" Residence To "C" Commercial
VIRGIL POLK, ET UX By Jack N. Moore C14-74-138	6401 South First Street also bounded by Eberhart Lane	From "A" Residence To "GR" General Retail
R. T. MARSHALL, TRUSTEE By Vernon Henry C14-74-139	4805-5113 Weidmar Lane 4806-5112 South I.H. 35	From Interim "A" Residence 1st Height and Area and "DL" Light Industrial 1st and 3rd Height and Area To "GR" General Retail 1st and 3rd Height and Area
CENTRAL ASSEMBLY OF GOD CHURCH C14-74-140	7650 Ed Bluestein Boulevard (U.S. Highway 183)	From "A" Residence To "LR" Local Retail
JOE CARMONA By B. P. Traynor C14-74-141	602-604 Montopolis Drive, also bounded by Walker Lane	From "A" Residence To "C" Commercial
KATHRYN L. MANDRELL C14-74-142	136-1/2 - 200 Stassney Lane	From "A" Residence To "LR" Local Retail
BARTON-WEST ASSOCIATES, LTD, C14-74-143	4025-4027 South Lamar Boulevard	From "C" Commercial To "C-2" Commercial
FIRST BANISTER PLACE, INC. and TEXAS GENERAL CORP. By Jack Stehling C14-74-144	600-730 Banister Lane 3812-3824 South First Street 3803-3823 South Second Street	From "GR" General Retail 1st Height and Area To "C" Commercial 3rd Height and Area
FOREST PEARSON, TRUSTEE By Tom Curtis C14-74-145	801-807 Barton Springs Road	From "A" Residence, "B" Residence, and "C-2" Commercial 1st Height and Area To "C-2" Commercial 3rd Height and Area (north 150 feet), "C" Commercial 3rd Height and Area, and "B" Residence 1st Height and Area
EAST INDUSTRIAL DISTRICT (Area Study) By Planning Department C14-74-146	6211-6409 Bolm Road 900 Block of Howard Road; 600-900 Ed Bluestein Boulevard	From Interim "A" Residence 1st Height and Area To "D" Industrial 1st Height and Area

CITY OF AUSTIN By Planning Department C14-74-147	2416 Kramer Lane, also bounded by Missouri- Pacific Railroad	From Interim "A" Residence 1st Height and Area To "D" Industrial 1st Height and Area
THE ROY ESTATE, The Capital National Bank, Trustee By Tom Curtis C14-74-148	703-727 Barton Springs Road	From "A" Residence 1st Height and Area, and "C-2" Commercial 2nd Height and Area To "C-2" Commercial 3rd Height and Area (north 150 feet) and "C" Commercial 3rd Height and Area (on remainder)
GORDON M. GRIFFIN, JR. By Joe Garrison C14-74-149	2510-2512 San Antonio Street, also bounded by Nueces Street	From "C" Commercial To "C-2" Commercial
ESTATE OF ARGUS M. FOX, DCSD., Rose Fox, Administratrix By Ras Redwine C14-74-150	8834-8898 Research Boulevard (U.S. Highway 183)	From Interim "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area
WILLIAM G. KEMP, ET AL By Martin Boozer, Jr. C14-74-116	6110-6310 Johnny Morris Road	From Interim "A" Residence 1st Height and Area To "DL" Light Industrial 1st Height and Area
JOHN V. FELTER By Jack Peevey C14-74-120	5900-6108 Johnny Morris Road	From Interim "A" Residence 1st Height and Area To "C" Commercial 2nd Height and Area
ROANE PUETT By Richard Moise C14-74-127	4520-4524 Depew Avenue 907-911 East 46th Street	From "A" Residence To "BB" Residence
PAGGI HOUSE Victor H. and Joseph G. Powell, owners C14h-74-006	200 Lee Barton Drive also bounded by West Riverside Drive	From "C" Commercial To "C-H" Commercial-Historic
RED-PURCELL HOUSE Mr. and Mrs. S.M. Purcell, owners C14h-74-009	210 Academy Drive also bounded by Hillside Avenue, Melissa Lane, and LeGrande Avenue	From "B" Residence To "B-H" Residence-Historic

ADJOURNMENT

The Council adjourned at 4:15 p.m.

APPROVED

Ray Butler

Mayor

ATTEST:

Grace Monroe

City Clerk